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6 UNITED STATES DISTRICT COURT
 7
 8 NORTHERN DISTRICT OF CALIFORNIA

9 SHERNY ANGELICA SAROHA,)
)
 10 Petitioner,)
)
 11 v.)
)
 12 MATTHEW SCHULER, Contra Costa)
 County Captain of Custody Services, *et al.*,)
 13 Respondents.)

No. 5:11-cv-05214-LHK

MOTION FOR LEAVE TO FILE
 AMENDED PETITION AND
 STIPULATION AND ~~PROPOSED~~
 ORDER RE: DATE TO FILE ANSWER
 TO AMENDED PETITION

AS MODIFIED

15
 16
 17 Pursuant to Rule 15 of the Federal Rules of Civil Procedure, Petitioner Sherny Angelica
 18 Saroha hereby respectfully moves the Court for leave to file an Amended Petition for Habeas
 19 Corpus which is attached hereto.¹ The Amended Petition adds one additional respondent, Jeff
 20 Nelson, Warden and Facility Coordinator for the Contra Costa West County Detention Facility.
 21 There are no other changes to the Amended Petition. Counsel for Petitioner has conferred with
 22 counsel for Respondents, Mr. Troy D. Liggett, and is authorized to state that the Respondents do
 23 not oppose this motion. Counsel for Petitioner and Counsel for Respondents have also agreed

24
 25 ¹ Federal Rule of Civil Procedure 15 provides that a party may amend its pleading once as a
 26 matter of course at any time before a responsive pleading is served; “in all other cases, a party
 27 may amend it’s pleading only with the opposing party’s written consent or the court’s leave . . .
 leave shall be freely given when justice so requires.” Fed. R. Civ. P. 15. As Respondent has filed
 28 a motion to dismiss, Respondent’s consent or leave of Court is required.

1 that Respondents be allowed thirty (30) days to file their answer to the Amended Petition.
2 Petitioner, therefore, respectively requests that she be allowed to file this Amended Petition and
3 that Respondents be given until Monday February 27, 2012 to file their answer.

4
5 Dated: January 26, 2012

Respectfully submitted,

6 /s/ Robert B. Jobe

7 _____
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16 **[PROPOSED] ORDER**

17 Pursuant to stipulation and for the reasons stated therein, IT IS HEREBY ORDERED that
18 Petitioner's Amended Petition for Writ of Habeas Corpus be filed and that Respondent's Answer
19 to Petitioner's Amended Petition be due by June 18, 2012. Respondent's pending motion to
20 dismiss, ECF No. 5, is terminated as MOOT. The hearing set for June 7, 2012, is hereby VACATED.

21 IT IS SO ORDERED.

22
23 Dated: May 18, 2012

24 *Lucy H. Koh*
25 _____
26 LUCY H. KOH
27 UNITED STATES DISTRICT JUDGE
28

